IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 23RD MAY 2007 / 2ND JYAISHTA 1929

Bail Appl..No. 2741 of 2007()

CR. NO. 36 OF 2007 OF KAYAMKULAM EXCISE RAGE
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PETITIONER/1ST ACCUSED:

HARIDAS,
HAREESH BHAVANAM, MUTHUKULAM,
VADAKKEMURI, MUTHUKULAM VILLAGE.

BY ADV. SRI.K.ABDUL JAWAD

RESPONDENTS: COMPLAINANTS:
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1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

2. EXCISE INSPECTOR, KAYAMKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 23/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Bail Application No. of 2007

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DATED: 2007

O R D E R

In this Petition filed under Sec. 439 Cr.P.C. the petitioner who is the first accused in C.R. No. 36 of 2007 of Kayamkulam Excise Range for offences punishable under Secs. 55 (a) , 55(g), 8 (1) and 8(2) of the Abkari Act for allegedly brewing the illicit arrack on 12-4-2007 and was found in possession of 10 litres of illicit arrack together with brewing apparatus, seeks his enlargement on bail. Petitioner surrendered before the Magistrate on 18-4-2007.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Having regard to the nature of the offences, the duration of judicial custody of the petitioner and the other circumstances of the case etc., I am inclined to grant bail to the petitioner. Accordingly, the petitioner is directed to be released on bail on his executing a bond for Rs. 20,000/- (Rupees twenty thousand only) with two solvent sureties each for the like amount to the satisfaction of the **J.F.C.M.-I, Haripad,** and subject to the

following conditions:

1. Petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioner shall make himself available for interrogation as and when required by the police till the filing of the final report.

3. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

4. The petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR, JUDGE.

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